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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,878	10/26/2001	Robert McLister	M521-002-PAT	1001
24221	7590	01/22/2007	EXAMINER	
LOUIS VENTRE, JR 2483 OAKTON HILLS DRIVE OAKTON, VA 22124-1530			KHATTAR, RAJESH	
			ART UNIT	PAPER NUMBER
			3693	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		01/22/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/22/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lventre@lventre.com
lventre@cox.net

Office Action Summary

Application No.

10/027,878

Applicant(s)

MCLISTER, ROBERT

Examiner

Rajesh Khattar

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 8-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-7 in the reply filed on Nov. 8, 2006 is acknowledged.

Specification

2. The abstract of the disclosure is objected to because it should be within the range of 50-150 words and should not exceed 15 lines of text. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Korhammer et al. US Patent No. 6,278,982 (herein after Korhammer '982). Korhammer '982 discloses a financial market transaction device, comprising:

a computer, including a monitor displaying a symbol for a tradable, a bid side and an offer side, the bid side including a list of bid montage rows, each bid montage row including a bid market participant, a bid price and a bid routing character, the offer side including a list of offer montage rows, each offer montage row including an offer market participant, an offer price and an offer routing character; routing character keys each corresponding with a member selected from the group consisting of bid routing

characters and offer routing characters; and quantity keys associated with different numbers of units to be traded, such that each routing character key in conjunction with each quantity key define a transaction of a determined number of units of a determined tradable with a determined market participant at a determined price (see e.g. Abstract; Figure 4 and 5 (see attached); col. 4, lines 30-36; col. 8, lines 47-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korhammer '982. Korhammer '982 teaches all the limitations of the claimed invention as stated above with the exception of the use of alphabetic characters from A through M and N through Z. Korhammer '982 uses the numeric characters in exchange of alphabetic characters. Examiner notes that the use of alphabetic characters for the routing characters is clearly an aesthetic design change (see MPEP § 2144.04). The design change that relates to ornamentation only and have no mechanical function cannot be relied upon to patentably distinguish the claimed invention from the prior art.
5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Korhammer '982 in view of Ram et al. US Patent Application No. 2003/0009411 A1 (herein after Ram '411). Korhammer '982 discloses a device that displays a symbol of tradable, bid and ask side and montage rows. Korhammer '982 fails to specifically

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disclose that the montage rows are vertically oriented. Ram '411 discloses a device where the montage row is vertically oriented (see e.g. Figure 3).

Therefore, it would have been obvious for a person having ordinary skills in the art at the time the invention was made to modify the teachings of Korhammer '982 to include the vertically oriented montage rows of Ram '411. One would have been motivated to do so in order to offer traders with a choice as to how they would like to have the information displayed.

Examiner understands that applicant's invention may be unique and distinct and encourages the applicant to consider the prior art cited here to differentiate claim language in order to overcome these rejections.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure US patent No. 5,809,483 and 6,272,474 and US Patent Application No. 2003/0004853 A1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rajesh Khattar whose telephone number is 571-272-7981. The examiner can normally be reached on M-Th 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RK

Jan. 17, 2007

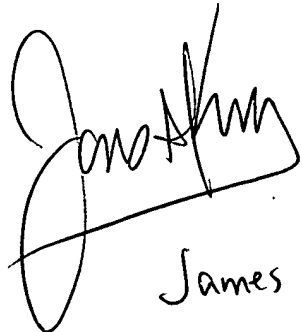
Requirement For Information

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

Applicant disclosed prior art (Figure 1, 2 and 3) but failed to disclose the citation in the specification or Information Disclosure Statement (IDS). In response to this requirement, please provide the title, citation and copy of each publication that is a source used for the description of the prior art in the disclosure. For each publication, please provide a concise explanation of that publication's contribution to the description of the prior art.

This requirement is an attachment of the enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action.

RK
Jan. 17, 2007

 1/17/07
James Kramer

